UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
UNITED STATES IMMIGRATION COURT
CHARLOTTE, NORTH CAROLINA

IN THE MATTER OF	)	IN REMOVAL PROCEEDINGS
	)	
Click or tap here to enter text.	)	File No. A Click or tap here to enter text.
	)	
Respondent.	)	STATEMENT OF LAW
	)	(Witness/Victim of Crime and Gang
	)	Violence)
	)	
	)	October 28, 2019
	)	

NOW COMES the Court, and adopts and incorporates herein by reference the following statement of law in its oral decision rendered in adjudicating the Form I-589 application submitted in the accompanying record of proceedings.

I. Evidence

The Court takes administrative notice of the country conditions as described in the most recent U.S. Department of State Human Rights Practices Report for the country of removal designated as Choose an item.. 8 C.F.R. § 1208.12(a); *Quitanilla v. Holder*, 758 F.3d 570, 574 n. 6 (4th Cir. 2014); *Ai Hua Chen v. Holder*, 742 F.3d 171, 179 (4th Cir. 2014).

The Court has considered all of the documentary and testimonial evidence submitted by the parties contained in the record of proceedings, and as articulated in the verbatim transcript of the individual hearing on the merits conducted on October 28, 2019. 8 C.F.R. § 1240.9.

II. Asylum

A. Burden of Proof

Any individual who is physically present in the United States, irrespective of status, may receive asylum, in the exercise of discretion, provided she filed a timely application and qualifies as a refugee within the meaning of section 101(a)(42)(A) of the Act. INA § 208. An alien bears the burden of proving eligibility for asylum. *Naizgi v. Gonzales*, 455 F.3d 484, 486 (4th Cir. 2006); INA § 208(b)(1)(B)(i); 8 C.F.R. § 1208.13(a). To satisfy the statutory test for asylum, an applicant must make a two-fold showing. They must demonstrate the presence of a protected ground, and then link the feared persecution, at least in part, to it. *Cordova v. Holder*, 759 F.3d 332, 337 (4th Cir. 2013) (citation omitted). An applicant seeking asylum based on membership in a "particular social group" must establish that the group is: (1) composed of members who share a common immutable characteristic; (2)

defined with particularity; and (3) socially distinct within the society in question. *Matter of M-E-V-G-*, 26 I&N Dec. 227, 237 (BIA 2014) (cleaned up);[1] *Matter of W-G-R-*, 26 I&N Dec. 208, 210 (BIA 2014); *Martinez v. Holder*, 740 F.3d 902, 910 (4th Cir. 2014).

B. One Year Time Bar

An alien applying for asylum must show "by clear and convincing evidence that the application has been filed within one year after the date of the alien's arrival in the United States." INA §208(a)(2)(B).

C. Credibility

An alien requesting asylum bears the evidentiary burden of proof and persuasion in connection with any application under section 208 of the Act. *See* INA § 208(b)(1)(B)(i); 8 C.F.R. § 1208.13(a); *Mirisawo v. Holder*, 599 F.3d 391, 396 (4th Cir. 2010). For any application for asylum filed after May 11, 2005, certain provisions of the REAL ID Act of 2005 regarding corroboration and credibility are applicable. INA § 208(b)(1)(B)(iii). An applicant's own testimony is sufficient to meet the burden of proving their asylum claim, if it is believable, consistent, and sufficiently detailed to provide a plausible and consistent account of the basis of their fear. 8 C.F.R. § 1208.13(a).

An immigration judge must provide specific, cogent reasons for making an adverse credibility determination. *Djadjou v. Holder*, 662 F.3d 265, 273 (4th Cir. 2011). In evaluating an asylum applicant's testimony, "omissions, inconsistencies, contradictory evidence and inherently improbable testimony are appropriate bases for making an adverse credibility determination." *Id.* Even the existence of only a few such inconsistencies can support an adverse credibility determination. *Id.* Following passage of the REAL ID Act of 2005, an inconsistency can serve as a basis for an adverse credibility determination without regard to whether it goes to the heart of the applicant's claim. *Qing Hua Lin*, 736 F.3d 343, 352-53 (4th Cir. 2013) (cleaned up).

Considering the totality of the circumstances and all relevant factors, the Court may base a credibility determination on any of the following: (1) the applicant's demeanor, candor, or responsiveness; (2) the inherent plausibility of the applicant's account; (3) the consistency between the applicant's or witness's written and oral statements, the internal inconsistencies of each statement, and any inaccuracies or falsehoods in such statements, without regard to whether an inconsistency, inaccuracy, or falsehood goes to the heart of the applicant's claim; (4) consistency of the applicant's statements with other evidence of record, including the reports of the Department of State on country conditions; or (5) any other relevant factor. INA §§ 208(b)(1)(B)(iii); 241(b)(3)(c); *see also Singh v. Holder*, 699 F.3d 321, 328 (4th Cir. 2012). Omissions, inconsistent statements, and contradictory evidence are all cogent reasons that support an adverse credibility finding. *Kourouma v. Holder*, 588 F.3d 234, 243 (4th Cir. 2009) (citing *Dankam v. Gonzales*, 495 F.3d 113, 121 (4th Cir. 2007)).

[1] This decision uses (cleaned up) to indicate that internal quotation marks, alterations, and citations have been omitted from quotations. *See, e.g., United States v. Reyes*, 866 F.3d 316, 321 (5th Cir. 2017).

Moreover, "those omissions and inconsistencies which go to the heart of an asylum seeker's claim are greater cause for concern than those which are peripheral." *Id.* (cleaned up).

D. Corroboration

The REAL ID Act altered the INA's requirement regarding corroborating evidence. *Singh v. Holder*, 699 F.3d 321, 328 (4th Cir. 2012). When a trier of fact is not fully satisfied with the credibility of an applicant's testimony standing alone, they may require the applicant to provide corroborating evidence "unless the applicant does not have the evidence and cannot reasonably obtain the evidence." *Id.* at 329 (citing INA § 208(b)(1)(B)(ii) and *Matter of J-Y-C-*, 24 I&N Dec. 260, 262 (BIA 2007) (cleaned up). In other words, "even for credible testimony, corroboration may be required when it is reasonable to expect such proof and there is no reasonable explanation for its absence." *Lin-Jian v. Gonzales*, 489 F.3d 182, 191-92 (4th Cir. 2007) (cleaned up); *see* INA § 208(b)(1)(B)(ii).

The Court's expectation of some form of corroboration falls within its discretion as the trier of fact pursuant to the REAL ID Act. *Singh*, 699 F.3d at 332 (cleaned up). "A failure to either provide corroborative evidence following a request by a trier of fact or explain its absence further buttresses an adverse credibility determination." *Id.* at 330. However, lack of corroborative evidence is not necessarily fatal to an asylum application, as "an individual can, without corroboration, satisfy this standard simply by presenting credible testimony about specific facts that would cause a similarly situated person to likewise fear persecution." *Jian Tao Lin v. Holder*, 611 F.3d 228, 236 (4th Cir. 2010) (cleaned up).

Evidence such as letters or statements from family members or friends of an asylum applicant do not substantially corroborate their claim if prepared by a self-interested witness not subject to cross-examination, such that the trustworthiness of the declarant cannot be determined. *Djadjou v. Holder*, 662 F.3d at 276-77; *Matter of H-L-H & Z-Y-Z-*, 25 I&N Dec. 209, 214 n.5 (BIA 2010), *abrogated on other grounds by Huang v. Holder*, 677 F.3d 130 (2d Cir.2012); *accord Hui Pan v. Holder*, 737 F.3d 921, 931 (4th Cir. 2013).

E. Statutory Grounds

In immigration removal proceedings, the law is constrained to afford protection to aliens based upon fear of violence only if they meet the legal definition of a refugee established by Congress, and therefore eligible for relief through asylum or withholding of removal. INA § 101(a)(42)(A); *Velazquez v. Sessions*, 866 F.3d 188, 195 (4th Cir. 2017) (citing *Saldarriaga v. Gonzales*, 402 F.3d 461, 467 (4th Cir. 2005)) ("the asylum statute was not intended as a panacea for the numerous personal altercations that invariably characterize economic and social relationships"); *Matter of M-E-V-G-*, 26 I&N Dec. at 234 ("the limited nature of the protection offered by refugee law does not cover those fleeing from natural or economic disaster, civil strife, or war"); *Matter of Sosa Ventura*, 25 I&N Dec. 391, 394 (BIA 2010) (explaining that Congress created the alternative relief of Temporary Protected Status because individuals fleeing from life-threatening natural disasters or a generalized state of violence within a country are not entitled to asylum). In *Matter of A-B-*, 27 I&N Dec. 316,

317 (A.G. 2018), the Attorney General overruled the Board's precedent decision in *Matter of A-R-C-G-*, 26 I&N Dec. 388 (BIA 2014), and observed that claims by aliens pertaining to acts of violence perpetrated by nongovernmental actors generally will not qualify the applicant for asylum or withholding of removal. *Id.* at 320, 334-36 (cleaned up).

An asylum applicant has the burden of showing his eligibility for asylum. *Matter of A-B-*, 27 I&N Dec. at 340 (citing 8 C.F.R. § 208.13(a)). The applicant must present facts that establish each element of the standard, and the immigration judge has the duty to determine whether those facts satisfy all of those elements. *Id.* If an asylum application is fatally flawed in one respect, an immigration judge need not examine the remaining elements of the asylum claim. *Oliva v. Lynch*, 807 F.3d 53, 59 (4th Cir. 2015).

The level of harm suffered by an applicant for asylum must be "severe," and the harm must be "inflicted either by the government of a country or by persons or an organization that the government was unable or unwilling to control." *Matter of T-Z-*, 24 I&N Dec. 163, 172–73 (BIA 2007); *Matter of Acosta*, 19 I&N Dec. 211, 222 (BIA 1985). Under some circumstances, a threat of death or injury to one's person or freedom may qualify as persecution. *See Tairou v. Whitaker*, 909 F.3d 702, 706 (4th Cir. 2018) (citing *Hernandez-Avalos v. Lynch*, 784 F.3d 944, 949 (4th Cir. 2015)); *Crespin-Valladares*, 632 F.3d 117, 126 (4th Cir. 2011) (citing *Li v. Gonzalez*, 405 F.3d at 177) (cleaned up). However, threats alone constitute persecution in only a small category of cases, and only when the threats are so menacing as to cause significant actual suffering or harm. *See La v. Holder*, 701 F.3d 566, 571 (8th Cir. 2012) (cleaned up). Threats for criminal ends do not provide the requisite nexus for an asylum claim. *See Matter of T-M-B-*, 21 I&N Dec. 775, 775 (BIA 1997).

An applicant seeking to establish persecution based on violent conduct of a private actor must show more than difficulty controlling private behavior. *Matter of McMullen*, 17 I&N Dec. 542, 546 (BIA 1980). The physical harm or threats received by the applicant must be "extreme" evidence of persecution to support a valid claim for asylum or withholding of removal. *Cortez-Mendez v. Whitaker*, 912 F.3d. 205, 209 (4th Cir 2019) (citing *Molina Mendoza v. Sessions*, 712 F. App'x 240, 242 (4th Cir. 2018)). In cases where the harm was committed or threatened by a private actor, the applicant must show that the government involved "condoned the private actions or at least demonstrated a complete helplessness to protect the victims." *Matter of A-B-*, 27 I&N Dec. at 337. The fact that local police did not act on a particular report of an individual crime does not necessarily mean that the government is unwilling or unable to control crime. *Id.* (cleaned up).

1. Particular Social Group

To satisfy the statutory test for asylum, an applicant must show he or she (1) "has a well-founded fear of persecution"; (2) their fear arises "on account of" membership in a protected social group; and (3) the harm or threat of harm is made by an organization that the government "is unable or unwilling to control." *Hernandez-Avalos v. Lynch*, 784 F.3d 944, 948-49 (4th Cir. 2015) (cleaned up). The applicant must demonstrate the presence of a protected ground, and must link the feared persecution, at least in part, to it. *Saldarriaga v. Gonzales*, 402 F.3d 461, 466 (4th Cir.2005). An alien qualifies for asylum if they were

persecuted "on account of … membership in a particular social group." *Temu v. Holder*, 740 F.3d 887, 891 (4th Cir. 2014) (citing INA § 101(a)(42)(A)).

Under the REAL ID Act, an alien's membership in a particular social group must be "*at least one central reason* for persecuting the applicant" to establish their eligibility for one of the five protected grounds for asylum. INA § 208(b)(1)(B)(i) (emphasis added); *Crespin-Valladares v. Holder*, 632 F.3d 117, 127 (4th Cir. 2011). Incidents of harm that are consistent with acts of private violence, or merely show a person has been the victim of criminal activity, do not constitute evidence of persecution based on a statutorily protected ground. *Huaman-Cornelio v. BIA*, 979 F.2d 995, 1000 (4th Cir.1992).

An applicant seeking asylum based on their membership in a "particular social group" must establish that the group is (1) composed of members who share a common immutable characteristic, (2) is defined with particularity, and (3) is socially distinct within the society in question. *Matter of M-E-V-G-*, 26 I&N Dec. 227, 237 (BIA 2014); *Matter of W-G-R-*, 26 I&N Dec. 208, 210 (BIA 2014); *Martinez v. Holder*, 740 F.3d 902, 910 (4th Cir. 2014). A cognizable social group is not one that is "defined principally, if not exclusively" for purposes of claiming asylum which disregards the question of whether the group exists independently of the harm asserted. *Matter of A-B-*, 27 I&N Dec. at 328, 334 (quoting *Matter of R-A-*, 22 I&N Dec. 906, 918 (BIA 1999), and *Matter of M-E-V-G-*, 26 I&N Dec. at 236 n.11, 243)).

a. Immutability

The Board's interpretation of the phrase "membership in a particular social group" incorporates the common immutable characteristic standard set forth in *Matter of Acosta. Matter of M-E-V-G-*, 26 I&N Dec. 227, 237-38 (BIA 2014) (cleaned up). The shared characteristic of the particular social group must be one that "the members of the group either cannot change, or should not be required to change because it is fundamental to their individual identities or consciences." *Matter of Acosta*, 19 I&N Dec. 211, 233 (BIA 1985); *accord Martinez v. Holder*, 740 F.3d 902, 910-11 (4th Cir. 2014).

b. Particularity

The Board's requirement of particularity chiefly addresses the "group's boundaries" or "outer limits." *Matter of M-E-V-G-*, 26 I&N Dec.at 241. The applicant must demonstrated some specific characteristic to place them within the defined group. *Temu v. Holder*, 740 F.3d at 895 (social group must have identifiable boundaries to meet the particularity element). The group must be defined by characteristics that provide a clear benchmark for determining who falls within the group. *Id.* The group must be discrete and have definable boundaries, and not be amorphous, overbroad, diffuse, or subjective. *Zelaya v. Holder*, 668 F.3d 159, 166 (4th Cir. 2012) (cleaned up).

c. Social Distinction

The proposed group must be socially distinct within the society in question, and depends upon "evidence showing that society in general perceives, considers, or recognizes persons sharing the particular characteristic to be a group." *Matter of W-G-R-*, 26 I&N Dec.

at 217. Such a determination is crucial as the alien's membership in a cognizable group was designed by Congress to ultimately afford them protection from persecution, which "is an extreme concept that does not include every sort of treatment that our society regards as offensive." *Baharon v. Holder*, 588 F.3d 228, 232 (4th Cir. 2009) (cleaned up).

Violent country conditions based upon widespread criminality do not always support the applicant's burden to show social distinction as "evidence that persecutors target an entire population indiscriminately can be evidence of no social visibility." *Temu v. Holder*, 740 F.3d at 894 (cleaned up); *see also Zelaya v. Holder*, 668 F.3d at 165-66; *Matter of M-E-V-G-*, 26 I&N Dec. at 240; *Matter of W-G-R-*, 26 I&N Dec. at 217.

2. Nexus/ "On Account of"

Even if the applicant for relief is able to demonstrate membership in a particular social group, they must still establish such membership was "at least one central reason" for their persecution. INA § 208(b)(1)(B)(i); *Cordova v. Holder*, 759 F.3d 332, 337 (4th Cir. 2014) (citing *Crespin-Valladares v. Holder*, 632 F.3d at 127). While the applicant need not show conclusively what the motive for the persecution would be, or that the persecutor would be motivated solely by a protected ground, the applicant must produce evidence from which it is reasonable to conclude that the harm would be motivated, at least in part, by an actual or imputed ground. *INS v. Elias-Zacarias*, 502 U.S. at 483; *Matter of S-A-*, 22 I&N Dec. 1328, 1336 (BIA 2000); *Matter of S-V-*, 22 I&N Dec. 1306, 1309 (BIA 2000); *Matter of S-P-*, 21 I&N Dec. 486, 489-90 (BIA 1996). A persecutor's actual motive is a matter of fact to be determined by the Immigration Judge and reviewed for clear error. *Matter of N-M-*, Dec. 25 I&N Dec. 526, 532 (BIA 2011); 8 C F. R. § 1003.1(d)(3)(i).

"Evidence consistent with acts of private violence or that merely shows that an individual has been the victim of criminal activity does not constitute evidence of persecution on a statutorily protected ground." *Velasquez v. Sessions*, 866 F.3d 188, 194-95 (4th Cir. 2017) (citing *Sanchez v. U.S. Att'y General*, 392 F.3d 434, 438 (11th Cir. 2004)); *see also Huaman-Cornelio v. BIA*, 979 F.2d 995, 1000 (4th Cir. 1992). An applicant is not required to show that he or she has been singled out individually for persecution if he or she establishes a pattern or practice in his or her country of persecution of a group of persons similarly situated to the applicant *on account of the protected ground*. 8 C.F.R. § 1208.13(b)(2)(iii)(A) (emphasis added). Fear of retribution over purely personal matters does not support an application for asylum or withholding of removal. *Cortez-Mendez v. Whitaker*, 912 F.3d. 205, 211 (4th Cir. 2019) (citing INA § 101(a)(42)). Demonstrating resistance to pressure to engage in, or condone, certain acts and consequent retaliation for this resistance is insufficient to establish a nexus for asylum. *Matter of N-M-*, 25 I&N Dec. at 529. Conduct committed by private actors, standing alone, does not establish the requisite burden to show it was on account of a cognizable statutory basis and not merely "incidental, tangential, superficial, or subordinate to another reason." *Cantillano Cruz v. Sessions*, 853 F.3d 122, 128 (4th Cir. 2017) (quoting *Quinteros-Mendoza*, 556 F.3d 159, 164 (4th Cir. 2009)); *Velasquez v. Sessions*, 866 F.3d at 194-95; *Matter of A-B-*, 27 I&N Dec. at 320, 334-36. Persecution requires that conduct perpetrated by private actors must have material involvement by the local government. *Mulyani v. Holder*, 771 F.3d 190, 197-98 (4th Cir. 2014) (citations omitted); *Matter of A-B-*, 27 I&N Dec. at 337-38; *see also Blanco de Belbruno v. Ashcroft*,

362 F.3d 272, 285 (4th Cir. 2004) (holding that threats and acts by unknown actors, for unknown reasons, do not meet the nexus requirement for asylum eligibility).

Where an alien has not met his or her burden of establishing past persecution, he or she may establish a well-founded fear of future persecution on account of a statutorily protected ground if he or she demonstrates "that (1) a reasonable person in the circumstances would fear persecution; and (2) that the fear has some basis in the reality of the circumstances and is validated with specific, concrete facts." *Mirisawo v. Holder*, 599 F.3d 391, 396 (4th Cir. 2010) (cleaned up).

An alien's own speculations and conclusory statements, unsupported by independent corroborative evidence, will not suffice. *Yi Ni v. Holder*, 613 F.3d 415, 429 (4th Cir. 2010) (citing *Jian Xing Huang v. INS*, 421 F.3d 125, 129 (2d Cir. 2005)). An applicant is not required to show that he or she has been singled out individually for persecution if he or she establishes a pattern or practice in her country of persecution of groups of persons similarly situated to the applicant on account of the protected ground. 8 C.F.R. § 1208.13(b)(2)(i).

An alien must demonstrate that he or she is unable to internally relocate within their country to avoid harm. 8 C.F.R. § 1208.13(b)(3)(ii); *Matter of M-Z-M-R-*, 26 I&N Dec. 28 (BIA 2012). To determine the reasonableness of internal relocation, the Court should consider, but is not limited to considering, whether the applicant would face other serious harm in the place of suggested relocation; any ongoing civil strife within the country, administrative, economic, or judicial infrastructure; geographical limitations; and social and cultural constraints, such as age, gender, health, and social and family ties. 8 C.F.R. § 1208.13(b)(3).

III. Withholding of Removal

To establish eligibility for withholding of removal under INA § 241(b)(3), an applicant must show that it is more likely than not that his or her life or freedom would be threatened in the country of removal because of their race, religion, nationality, membership in a particular social group, or political opinion. *Gomis v. Holder*, 571 F.3d 353, 359 (4th Cir. 2009) (cleaned up). While withholding of removal has a more stringent standard than that for asylum, if an alien demonstrates eligibility for withholding of removal, such relief must be granted. *Gandziami-Mickhou v. Gonzales*, 445 F.3d 351, 353-54 (4th Cir. 2006) (cleaned up). An applicant who has failed to establish the less stringent well-founded fear standard of proof required for asylum relief is necessarily also unable to establish an entitlement to withholding of removal. *Mulyani v. Holder*, 771 F.3d 190, 198 (4th Cir. 2014).

IV. Withholding of Removal under CAT

To establish eligibility for protection under the United Nations Convention Against Torture ("CAT") the totality of the record does not demonstrate a clear probability that the respondent has been or would be tortured by, or at the instigation of, or with the consent or acquiescence of, a public official. 8 C.F.R. § 1208.18(a)(7); *Matter of L-A-C-*, 26 I&N Dec. 516, 526 (BIA 2015). An applicant for CAT relief must establish "first, that it is more likely than not that [he or she] will be tortured if removed to the proposed country of removal and,

second, that this torture will occur at the hands of government or with the consent or acquiescence of government." *Turkson v. Holder*, 667 F.3d 523, 526 (4th Cir. 2012) (citing 8 C.F.R. § 1208.16(c)(2)). The applicant's testimony, "if credible, may be sufficient to sustain the burden of proof without corroboration." *Id.* (citing 8 C.F.R. § 1208.16(c)(2)). The Court must consider "all evidence relevant to the possibility of future torture." *Id.* (citing 8 C.F.R. § 1208.16(c)(3)).

In order to qualify as torture under the CAT, an act must be specifically intended to cause severe pain and suffering. *Oxygene v. Lynch*, 813 F.3d 541, 546-47 (4th Cir. 2016) (cleaned up); *Matter of J-E-*, 23 I&N Dec. 291, 301 (BIA 2002). "A public official acquiesces to torture when, prior to the activity constituting torture, he or she has awareness of such activity and thereafter breaches his or her legal responsibility to intervene to prevent such activity." *Suarez-Valenzuela v. Holder*, 714 F.3d 241, 245 (4th Cir. 2013) (cleaned up); *Mulyani v. Holder*, 771 F.3d at 200 (4th Cir. 2014); *see* 8 C.F.R. § 1208.18(a)(7). It is not necessary for a public official to have actual knowledge of the activity constituting torture. *Id.* at 245-47.

An applicant bears the burden of presenting evidence to show that relocation within the country of removal is not possible. *Id.* at 249; *Matter of W-G-R-*, 26 I&N Dec. at 225-26; *Matter of M-Z-M-R*, 26 I&N Dec. 28, 33 (BIA 2012); *see* 8 C.F.R. § 1208.16(c)(2)-(3). Eligibility for CAT protection cannot be established by stringing together a series of suppositions to show that torture is more likely than not to occur unless the evidence shows that each step in the hypothetical chain of events is more likely than not to happen. *Matter of J-F-F-*, 23 I&N Dec. 912, 917-18 (A.G. 2006); *see Turkson v. Holder*, 667 F.3d at 530 (probability of future harm is a factual determination subject to clearly erroneous standard on review by the Board); *accord Matter of Z-Z-O-*, 26 I&N Dec. 586, 589-91 (BIA 2015).

V. Voluntary Departure and Appellate Right Advisal

The Notice to Appear (NTA) in this case was issued within one year of the respondent's last entry into the United States, therefore they are statutorily not eligible for post-conclusion voluntary departure. 8 C.F.R. § 1240.26(c)(1)(i); Exhibit 1.

A respondent in removal proceedings has a right to appeal a final decision to the Board of Immigration Appeals. To perfect this appeal, the respondent must file a Notice of Appeal (Form EOIR-26) with the Board of Immigration Appeals within thirty (30) calendar days from the date of this decision which is Click or tap to enter a date.. 8 C.F.R. § 1003.38. If the time period expires and no appeal has been filed, this decision becomes final. 8 C.F.R. §1003.39.

_____ _____

Date

V. STUART COUCH
United States Immigration Judge
Charlotte, North Carolina